

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
vs.) No. 03-30047-MAP
)
MELVIN RICHARDSON)

AFFIDAVIT IN SUPPORT OF MOTION TO SEVER

Now comes Melvin Richardson, and being duly sworn, hereby deposes and states as follows; I am the defendant in the above entitled matter. I am currently being charged in a four count indictment with three drug charges and with being a felon in possession of a firearm.

I believe I am charged in that regard because the Government believes it has the ability to enhance my sentence on the firearm charge. The basis for the charge against me is a “reverse sting” in which a Confidential Informant, employed by the Bureau of Alcohol, Tobacco, and Firearms, entrapped me into accepting the firearms in exchange for a quantity of cocaine.

I was never predisposed to possess or carry a weapon or trade weapons for drugs. I was constantly being asked by the informant to acquire guns for drugs and refused on multiple occasions. I was instructed by the informant as to what to tell the agents before and during my arrest. After my arrest, before I knew the informant was retained as a government agent , I told the agent the guns were for him, which was the truth. The informant knew I was a drug addict and was able to prey on my addiction by promising to permit me to take some of the cocaine traded on October 30, 2003.

In order to exculpate myself from this charge, which I believe I am legally innocent of, I have to take the stand and outline everything the informant did unlawfully to entrap me and emphasize everything the agents did and failed to do, which allowed this to happen.

The evidence with respect to Count One and Two of the superceding indictment, although similar, do not constitute part of a common scheme or plan, nor one they related to the September 25, 2003 indictment. I would not testify about my participation in these counts, if I had a choice, and would put the Government to its proof. I will be prejudice if I am to testify truthfully about that incident and would not waive my 5th Amendment Privilege if I went forward to do so.

I expect I would demonstrate I never entertained any predisposition to possess firearms or to trade such an item for drugs.

/s/ Melvin Richardson
Melvin Richardson